REMARKS

This application has been reviewed in light of the Office action dated November 17, 2004. Claims 1-23 are pending in the application. By the present amendment, claims 1, 14 and 20 have been amended to clarify the present invention. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the office action, claims 1-23 stand rejected under 35 U.S.C. ' 102 (b) as being anticipated by U.S. Patent No. 6,021,129 to Martin et al. (hereinafter Martin).

Martin is directed to a modem system having its own memory storage. The memory storage in the modem acts as a memory buffer for the host machine, and is designated for storing ATM cells. The modem and its memory are designed to minimize processing load on the host computer (see col. 3, lines 5-19), and are meant to be a built in accessory for a modem. The memory 60 of Martin is used to assist the host in data transfer from the network and functions as a complicated memory buffer system. While Martin provides that the memory may include external memory, Martin is silent as to downloading and uploading external data to/from the memory device. Instead, Martin includes a memory system that is a slave to the host computer's commands and work only on data being transferred between the host and the network. New data from an external source is not permitted since the memory 60 acts as a buffer for network data transfer.

In addition, there is no disclosure or suggestion that data can be externally retrieved from the modem via an interface other than the connection to the host computer. As data is received in the modem, it is stored in the modem until the host computer can receive the data. The source of the data is either the network or the host but the data received in the modem cannot be retrieved at an external interface of the modem nor can data by uploaded from the modem to the host or network from an external data source.

To summarize, Martin provides a memory buffer in a modem, whereas the present invention in claim 1 provides, *inter alia*, second interface circuitry adapted to provide data transfer between a memory device and at least one of said host device and said network, the

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second interface circuitry including an external connection portion for externally and detachably connecting the memory device to the modem for uploading and downloading data to one of the host and the network.

Martin does not disclose or suggest second interface circuitry including <u>an external portion for externally and detachably connecting the memory device to the modem for uploading and downloading data to at least one of the host and the network</u>. Even if, *arguendo*, one could connect an external memory device to the modem in Martin, such memory would be employed only as a buffer memory for normal data transfer between the host and the network along the communication link.

By contrast, the present invention permits memory from the memory device obtained from a source not related to the network or the host to provide data to the host or the network. In addition, specific information or data from the host and/or the network may be retrieved at the memory device directly from the modem and removed to transport the data to another location, e.g., via portable memory device, such as a memory stick or floppy disk.

Claim 14 recites, *inter alia*, a modem having ... a flash memory having stored therein at least an initial operating program and an interface circuit, operatively coupled to said first data bus and a physical interface device, said physical interface device adapted to receive a memory device <u>and including an external connection portion for externally and detachably connecting the memory device to the modem for uploading and downloading data to one of the host and the network</u>, said interface circuit adapted to provide data transfer between said memory device and said modem using said first data bus, said modem adapted to transfer data between said memory device and at least one of said host device and said network.

As set forth in claim 14, a physical interface device permits connectability of a memory device, which may be employed to upload data from the memory device or download data to the memory device.

Martin fails to disclose or suggest, *inter alia,* a modem having <u>a flash memory having stored therein at least an initial operating program</u> and a <u>physical interface device</u> adapted to receive a memory device and including <u>an external connection portion for externally</u>

connecting the memory device to the modem for uploading and downloading data to one of
the host and the network.

As stated previously, Martin provides memory for modem operations for data transfer
between the host and the network. Martin, in effect, provides a buffer system, but does not
provide a physical interface having an external portion, which permits connection of a
memory device for uploading or downloading of data to from/to the memory device. The
present invention permits active uploading and downloading of data to and from an
independent data source (e.g., the memory device) connected to the modem. In addition, the
modem includes an initial operating system, which supports the interfacing with the memory
device.

Martin fails to disclose or suggest at least a modem having an initial operating system,
a physical interface having an external portion for externally connecting the memory device
to the modem for uploading and downloading data to one of the host and the network. It is
therefore respectfully submitted that claims 1-19 are in condition for allowance for at least the
stated reasons.

Claim 20 recites, *inter alia,* the steps of detecting the insertion of a memory device
into an interface operatively coupled to a modem, said modem including first interface
circuitry adapted to provide data transfer between a host device and a network, said modem
including second interface circuitry including an external connection portion for externally
and detachably connecting the memory device to the modem for uploading and downloading
data to at least one of the host and the network and in response to a default data transfer
condition, transferring data between said detected memory device and at least one of said host
device and said network.

Nowhere in Martin is detecting the insertion of a memory device into an interface
operatively coupled to a modem disclosed or suggested. In fact, there is no need or reason to
detect the presence of an additional data source since data is only permissible from either the
host or the network in Martin. Martin is directed to providing a data buffering system for a
host device. Therefore, Martin does, not contemplate detecting the insertion of a memory

device. In fact, the memory devices in Martin include IC-type memories (SRAM, DRAM,

etc.) not plug-in type memory devices, which could include a digital camera or an MP3

player, for example, as illustratively provided for the present invention. The connectability or

the detection of whether memory is present or not is not performed or even contemplated by

Martin. It is respectfully requested that claims 20-23 are in condition for allowance for the
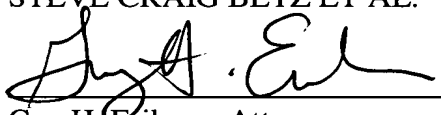
reasons stated herein.

In view of the foregoing amendments and remarks, it is respectfully submitted that all

the claims now pending in the application are in condition for allowance. Early and favorable

reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event

that any additional fees or charges are required at this time in connection with the application,

they may be charged to applicant's Deposit Account No. 07-0832.

<div style="text-align:center">Respectfully submitted,</div>

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